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May 28, 2008

Via ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: MB Docket No. 07-51 – In the Matter of Exclusive Service Contracts for
Provision of Video Services in Multiple Dwelling Units and Other Real Estate
Developments

Dear Ms. Dortch:

Yesterday, representatives of Shenandoah Telecommunications Company (“Shentel”) met with the following Commission personnel in two separate meetings to discuss matters pertaining to the above-referenced proceeding: Rosemary Harold, Nancy Murphy, Mary Beth Murphy, John Berresford and John Norton, each of the Media Bureau; and Elizabeth Andrion, Legal Advisor to Chairman Martin. I attended each meeting on behalf of Shentel, along with Jonathan Spencer, Shentel’s Vice President, General Counsel and Corporate Secretary. The matters discussed were consistent with the attached document, which was distributed at each meeting, as well as with Shentel’s comments, reply comments and Petition for Clarification, or in the Alternative, Reconsideration filed in this proceeding.

Please contact the undersigned if you have any questions concerning this letter.

Respectfully submitted,

/s/ Yaron Dori

Yaron Dori
Counsel for Shentel

cc: Elizabeth Andrion (FCC)
John Berresford (FCC)

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Rosemary Harold (FCC)

Mary Beth Murphy (FCC)

Nancy Murphy (FCC)

John Norton (FCC)

Jonathan Spencer (Shentel)

SHENANDOAH TELECOMMUNICATIONS COMPANY

MD Docket No. 07-51

- The record continues to demonstrate that concerns over consumer welfare are most appropriately addressed with regard to the largest providers and incumbents, not PCOs, which have longed played a role as a competitive alternative in the video service market.
- PCOs hardly were mentioned by any party in their comments or replies. This is not surprising. PCOs average roughly 5000 subscribers. The largest providers, by comparison, have millions of subscribers; and the largest new entrants claim to be signing up tens of thousands of new video subscribers each month.
- PCOs simply do not have a sufficient market presence to merit regulation. Congress and the FCC in the past scrupulously avoided imposing regulations on small providers, and there is every reason to do so here.
- The FCC stopped short of applying the prohibition to PCOs in the underlying proceeding due to a lack of evidence that PCO exclusives harm consumers. Nothing has changed. The record continues to reflect that, on balance, PCO exclusives benefit consumers.
- Shentel plays a unique role in the market for video and broadband services.
 - Shentel is a Virginia RLEC that also operates as a PCO outside its home region.
 - Shentel serves properties throughout the Southeast and Mid-Atlantic regions.
 - Shentel focuses primarily on smaller markets in second, third and fourth tier cities, university towns, greenfield developments, and other predominantly non-urban or rural areas with low population densities; it also competes for ESCs in some large markets such as Atlanta and Washington, D.C., often at the request of the property owner or manager.
- ESCs empower Shentel and other PCOs to provide improved service, customized programming, and competitive pricing to consumers in MDUs and developments.
- Incumbents typically do not deploy advanced services to the properties on which Shentel focuses due to distance from existing plant and/or lower population densities. These “-villes” and “burghs” simply would not have access to advanced video, broadband, VoIP, and other such services – or would have access only after considerable delay – in the absence of ESCs.
- No party filed comments or opposed our Petition for Clarification. This is not surprising. Our Petition would put all parties on equal footing and encourage the deployment of competitive video service offerings.